

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 01-7231**

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JAMES ALFRED BROWN, JR.,

Petitioner - Appellant,

versus

WARDEN, Wallens Ridge State Prison,

Respondent - Appellee.

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Appeal from the United States District Court for the Western District of Virginia, at Roanoke. Jackson L. Kiser, Senior District Judge. (CA-00-792-7)

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Submitted: November 8, 2001

Decided: November 16, 2001

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Before WILKINS, MICHAEL, and KING, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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James Alfred Brown, Jr., Appellant Pro Se. Robert H. Anderson, III, OFFICE OF THE ATTORNEY GENERAL OF VIRGINIA, Richmond, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

James Alfred Brown, Jr., seeks to appeal the district court's order denying relief on his petition filed under 28 U.S.C.A. § 2254 (West 1994 & Supp. 2001). We have reviewed the record and the district court's opinion accepting the recommendation of the magistrate judge and find no reversible error. Accordingly, we deny a certificate of appealability and dismiss the appeal on the reasoning of the district court. Brown v. Warden, No. CA-00-792-7 (W.D. Va. filed July 3, 2001; entered July 5, 2001). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED